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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,491	03/04/2005	Hitoshi Setsuda	2005_0355A	8005
513 7590 11/14/2008 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021				
EXAMINER				
HINES, ANNE M				
ART UNIT		PAPER NUMBER		
2879				
MAIL DATE		DELIVERY MODE		
11/14/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/526,491

**Applicant(s)**

SETSUDA ET AL.

**Examiner**

ANNE M. HINES

**Art Unit**

2879

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,3,5 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3,5 and 8-19 is/are allowed.
- 6) ☒ Claim(s) 12 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 21, 2008 has been entered.

Claims 2-3, 5, 8-19 are pending in the instant application.

### ***Claim Objections***

Claim 19 is objected to because of the following informalities: In claim 19, the last line, the phrase "said removal support film" appears to have a typographical error. It appears that 'removal' is intended to be 'removable'. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 12 depends from claim 2. Claim 2 requires

a laminate *consisting of* several elements (emphasis added). Claim 12 then requires that "the laminate according to claim 2, further comprising a removable protective film covering a surface of said laminate...". This is considered indefinite because the transitional phrase "consisting of" in claim 2 limits the structure of the laminate to those elements in claim 2, but the transitional phrase "further comprising" in claim 12 appears to reopen the structure of the laminate to additional elements. Since claim 12 has both open and closed transitional phrases with regard to the structure of the laminate, the Examiner has treated claim 12 on its merits assuming the broader interpretation is intended; that the laminate structure of claim 12 is open and may include additional elements not listed. Therefore, the previous grounds of rejection for claim 12 are maintained. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Iwasaki (US 2003/0087179) (of record).

Regarding claim 12, Iwasaki discloses a removable support film (40), a photosensitive unbaked spacer material layer formed on the removable support film (34), a burnable intermediate layer formed on the spacer material layer, the

intermediate layer being water-soluble or water swellable (35), and further discloses a removable protection film (36, 37) covering a surface of the laminate, the surface being the other side of the removable support film.

***Allowable Subject Matter***

Claims 2-3, 5, 8-11, and 13-19 are allowed.

With regard to independent claims 3 and 8, the Examiner finds Applicant's arguments dated August 21, 2008 and June 24, 2008 persuasive.

Regarding independent claim 2, the references of the Prior Art of record fail to teach or suggest the combination of the limitations as set forth in claim 2, and specifically comprising the limitation wherein an unbaked laminate for producing a front plate of a plasma display device has a glass substrate having a surface on which electrodes are formed, A dielectric layer formed on the surface, and spacer layer formed on the dielectric layer, the laminate consisting of a removable support film, a photosensitive unbaked spacer material layer formed on the removable support film, and a burnable intermediate layer formed on the spacer material layer, the intermediate layer being water-soluble or water-swellable.

Regarding claims 5 and 14-15, claims 5 and 14-15 are allowable for the reasons given in claim 2 because of their dependency status from claim 2.

Regarding independent claim 3, the references of the Prior Art of record fail to teach or suggest the combination of the limitations as set forth in claim 3, and specifically comprising the limitation wherein an unbaked laminate for producing the

front plate of a plasma display device has a glass substrate having a surface on which electrodes are formed, a dielectric layer formed on the surface, and spacer layers formed on the dielectric layer, the laminate comprising a removable support film, a photosensitive unbaked spacer material layer formed on the removable support film, a burnable intermediate layer formed on the spacer material layer, the intermediate layer being water-soluble or water-swellable, and a non-photosensitive unbaked dielectric layer formed on the burnable intermediate layer. the dielectric layer consisting of a glass paste material.

Regarding claims 13 and 16-18, claims 13 and 16-18 are allowable for the reasons given in claim 3 because of their dependency status from claim 3.

Regarding independent claim 8, the references of the Prior Art of record fail to teach or suggest the combination of the limitations as set forth in claim 8, and specifically comprising the limitation wherein a method for producing a front plate of a plasma display panel having a glass substrate having a surface on which electrodes are formed. A dielectric layer formed on the surface, and spacer layers formed on the dielectric layer, the method comprising the steps of forming on the surface of the substrate a non-photosensitive unbaked dielectric layer consisting of glass paste material, a burnable intermediate layer which is water-soluble or water-swellable, and a photosensitive unbaked spacer material in this order, irradiating the spacer material layer with a patterning light, and developing the spacer material layer, to constitute a patterned spacer layer, baking the non-photosensitive unbaked dielectric layer, the

burnable intermediate layer, and the patterned spacer material layer simultaneously, to burn up the burnable intermediate layer and form the dielectric layer and spacer layers on the glass substrate simultaneously.

Regarding claims 9-11, claims 9-11 are allowable for the reasons given in claim 8 because of their dependency status from claim 8.

Regarding independent claim 19, the references of the Prior Art of record fail to teach or suggest the combination of the limitations as set forth in claim 19, and specifically comprising the limitation an unbaked laminate for producing the front plate of a plasma display device having a glass substrate having a surface on which electrodes are formed, a dielectric layer formed on the surface, and spacer layers formed on the dielectric layer, the laminate consisting of a removable support film, a photosensitive unbaked spacer material layer formed on the removable support film, a burnable intermediate layer formed on the spacer material layer, the intermediate layer being water-soluble or water-swellaable, and a removable protection film covering a surface of the laminate, the surface being on the other side of the removable support film.

As allowable subject matter has been indicated for claim 19, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-2285. The examiner can normally be reached on Monday through Friday from 8:00-4:30.

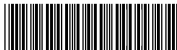
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Anne M Hines/  
Patent Examiner  
Art Unit 2879

/NIMESHKUMAR D. PATEL/  
Supervisory Patent Examiner, Art Unit 2879



**Application Number****Application/Control No.**

10/526,491

**Examiner**

ANNE M. HINES

**Applicant(s)/Patent under  
Reexamination**

SETSUDA ET AL.

**Art Unit**

2879